IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 11847 of 2004

Between:

K. Ravi Kumar, S/o. Late K.B. Venkaiah, Major,
R/o. H.No.23-127/2A, Sri Matha Laxminagar Colony, Near Gaddiannaram Municipal Office
Opposite to Fruit Market, Kothapet, Hyderabad-35 R.R. Distri

..... PETITIONER

AND

1 The Environmental Engineer, Task Force Cell, Pollution Control Board, 4th Floor Collector Office Building, Nampally, Hyderabad.
2 M/s. Ganesh Jute Udyog, Rep. by its proprietor Sri Srinivas Varma
23-127/5 & 23-127/5A Sri Matha Laxminagar Colony,
Near Gaddiannaram Municipal Office, Opp: Fruit Market, Kothapet, Hyderabad 35 R.R. District.

3. Pollution Control Board, represented by its

Managing Director, 4th floor, Collector Office Building,

Nampally, Hyderabad.

(Respondent No.3 is added as per the court order dated 30-7-2004 in WPMP No.16561 of 2004.)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus directing the 1st respondent to take necessary action under the provisions of Air (Prevention and Control of Pollution) Act, 1981 on the representation made by the petitioner and other colony people dated 2-6-2004.

Counsel for the Petitioner:MR.D.KODANDARAMA MURTHY

Counsel for the Respondent Nos.1 and 3: MR.S.V.BHATT

Counsel for the Respondent No.2: Mr.C.V.Mohan Reddy

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

This petition is filed as public interest litigation. Initially, the Pollution Control Board has not been made a party. Now it has been added as respondent No.3. The grievance of the petitioner is that despite representation dated 2-6-2004 submitted to the Senior Environmental Engineer, Task Force Cell of the Pollution Control Board, no action has been taken on the complaint that the manufacturing of plastic bags and printing was causing air pollution in the locality affecting the health of the people.

The petitioner has impleaded the second respondent as the unit alleged to be responsible for the alleged pollution.

The petitioner had not sent any representation to the Pollution Control Board. In any case, we dispose of this writ petition with direction to the third respondent to consider the representation of the petitioner dated 2-6-2004 and also treat the present writ petition also as a representation and make spot inspection. In case any direction is required to be given to the concerned, it will proceed in accordance with law and pass appropriate orders thereon within a period of two months from the date of receipt of a copy of this order. Ordered accordingly.

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DEVINDER GUPTA, CJ

30-7-2004

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C.V.RAMULU, J

Tvr

To

1. The Environmental Engineer, Task Force Cell, Pollution Control Board, 4th Floor Collector Office Building, Nampally, Hyderabad.
2. The Managing Director, Pollution Control Board,

4th floor, Collector Office Building,

Nampally, Hyderabad.

3. 2 CD copies.